

**§ 101.81 Future licensing in the 1850–1990 MHz, 2110–2150 MHz, and 2160–2200 MHz bands.**

After April 25, 1996, all major modifications and extensions to existing FMS systems in the 1850–1990 MHz, 2110–2150 MHz, and 2160–2200 MHz bands will be authorized on a secondary basis to ET systems. All other modifications will render the modified FMS license secondary to ET operations, unless the incumbent affirmatively justifies primary status and the incumbent FMS licensee establishes that the modification would add to the relocation costs of ET licensees. Incumbent FMS licensees will maintain primary status for the following technical changes:

- (a) Decreases in power;
- (b) Minor changes (increases or decreases) in antenna height;

(c) Minor location changes (up to two seconds);

(d) Any data correction which does not involve a change in the location of an existing facility;

(e) Reductions in authorized bandwidth;

(f) Minor changes (increases or decreases) in structure height;

(g) Changes (increases or decreases) in ground elevation that do not affect centerline height;

(h) Minor equipment changes.

[61 FR 29695, June 12, 1996, as amended at 62 FR 12759, Mar. 18, 1997]

**Subpart C—Technical Standards**

**§ 101.101 Frequency availability.**

Frequency band (MHz)	Radio service				Notes
	Common carrier (Part 101)	Private radio (Part 101)	Broadcast auxiliary (Part 74)	Other (Parts 15, 21, 24, 25, 74, 78 & 100)	
928–929 .....		MAS			
932.0–932.5 .....	MAS	MAS			(1)
932.5–935.0 .....	CC	OFS			(1)
941.0–941.5 .....	MAS	MAS			(1)
941.5–944.0 .....	CC	OFS	Aural BAS		(1)
952–960 .....		OFS/MAS			
1850–1990 .....		OFS			
2110–2130 .....	CC			PCS	
2130–2150 .....		OFS		PET	
2150–2160 .....		OFS		PET	
2160–2180 .....	CC			MDS	
2180–2200 .....		OFS		ET	
2450–2500 .....	LTTS	OFS	TV BAS	PET	F/M/TF
2650–2690 .....		OFS		ISM	
3700–4200 .....	CC LTTS	OFS		MDS/ITFS	
5925–6425 .....	CC LTTS	OFS		SAT	
6425–6525 .....	LTTS	OFS	TV BAS	SAT	M
6525–6875 .....	CC	OFS		CARS	F/TF
10,550–10,680 .....	CC DEMS	OFS, DEMS			
10,700–11,700 .....	CC LTTS	OFS		SAT	
11,700–12,200 .....	LTTS			SAT	
12,200–12,700 .....		OFS		DBS	
12,700–13,250 .....	CC LTTS	OFS	TV BAS	CARS	F/M/TF
14,200–14,400 .....	LTTS			SAT	
17,700–18,580 .....	CC	OFS	TV BAS	SAT CARS	
18,580–18,820 .....	CC	OFS	Aural BAS	SAT	
18,820–18,920 .....	DEMS	OFS DEMS		SAT	
18,920–19,160 .....	CC	OFS	Aural BAS	SAT	
19,160–19,260 .....	DEMS	OFS DEMS		SAT	
19,260–19,700 .....	CC	OFS	TV BAS	CARS SAT	
21,200–23,600 .....	CC LTTS	OFS			TF
24,250–25,250 .....	DEMS	DEMS			
27,500–28,350 .....	LMDS				
29,100–29,250 .....	LMDS				
31,000–31,300 .....	CC-LMDS	OFS		SAT	F/M/TF
38,600–40,000 .....	LTTS				
	CC	OFS	TV BAS		F/M/TF

BAS: Broadcast Auxiliary Service—(Part 74).

CARS: Cable Television Relay Service—(Part 78).

CC: Common Carrier Fixed Point-to-Point Microwave Service—(Part 101, Subparts C & I).

DBS: Direct Broadcast Satellite—(Part 100).

DEMS: Digital Electronic Message Service—(Part 101, Subpart G).

ET: Emerging Technologies (per ET Dkt. No. 92–9, not yet assigned).

ISM: Industrial, Scientific & Medical—(Part 18).  
 ITFS: Instructional Television Fixed Service—(Part 74).  
 LMDS: Local Multipoint Distribution Service (including non-common carrier and common carrier services)—(Part 101, Subpart L).  
 LTTS: Local Television Transmission Service—(Part 101, Subpart J).  
 MAS: Multipoint Address System—(Part 101).  
 7MDS: Multipoint Distribution Service—(Part 21).  
 7OFS: Private Operational Fixed Point-to-Point Microwave Service—(Part 101, Subparts C & H).  
 PCS: Personal Communications Service—(Part 24).  
 SAT: Fixed Satellite Service—(Part 25).  
 Notes:  
 F—Fixed. M—Mobile. TF—Temporary Fixed.  
 (1)—Applications for frequencies in the 932.5–935/941.5–944 MHz bands may be filed initially during a one-week period to be announced by public notice. After these applications have been processed, the Commission will announce by public notice a filing date for remaining frequencies. From this filing date forward, applications will be processed on a daily first-come, first-served basis.

[61 FR 26677, May 28, 1996, as amended at 62 FR 23165, Apr. 29, 1997; 62 FR 24582, May 6, 1997]

### § 101.103 Frequency coordination procedures.

(a) Assignment of frequencies will be made only in such a manner as to facilitate the rendition of communication service on an interference-free basis in each service area. Unless otherwise indicated, each frequency available for use by stations in these services will be assigned exclusively to a single applicant in any service area. All applicants for, and licensees of, stations in these services must cooperate in the selection and use of the frequencies assigned in order to minimize interference and thereby obtain the most effective use of the authorized facilities. In the event harmful interference occurs or appears likely to occur between two or more radio systems and such interference cannot be resolved between the licensees thereof, the Commission may specify a time sharing arrangement for the stations involved or may, after notice and opportunity for hearing, require the licensees to make such changes in operating techniques or equipment as it may deem necessary to avoid such interference.

(b)(1) Operations in the bands 31,000–31,075 MHz and 31,225–31,300 MHz licensed prior to March 11, 1997, were licensed on an unprotected basis and are subject to harmful interference from similarly licensed operations in that band.

(i) Operations licensed in the Local Multipoint Distribution Service and those operations licensed prior to March 11, 1997, except in the Local Television Transmission Service, operating in these bands are equally protected against harmful interference from each other.

(ii) In the case of operations licensed prior to March 11, 1997, except in the Local Television Transmission Service, that are licensed on a point-to-radius basis, LMDS licensees shall be subject to the protection requirement established in this section in the case of existing links operated by such licensees, and in the case of links added by such licensees in the future in accordance with the terms of their point-to-radius licenses.

(iii) An LMDS licensee may not initiate operations within the point-to-radius area licensed to an operator (other than an operator in the Local Television Transmission Service) prior to March 11, 1997, even if such operator has not initiated operations to the fullest extent of the license. An LMDS licensee, however, may initiate operations at the border of such operator's license area without prior coordination if the LMDS licensee's operations would not cause harmful interference to the other operator's existing operations.

(iv) An operator (other than an operator in the Local Television Transmission Service) licensed on a point-to-radius basis prior to March 11, 1997, may add additional stations within its license area. Such operator shall coordinate with any affected LMDS licensee if its new operations might cause harmful interference to the existing operations of such LMDS licensee.

(v) Operations licensed prior to March 11, 1997, on a point-to-point basis may not be extended or otherwise modified through the addition of point-to-point links. Such operations shall be limited to the use of frequency pairs licensed as of March 11, 1997. Operations